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October 19, 2015

BY ECF AND E-MAIL

Honorable Thomas P. Griesa
United States District Court for
the Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *NML Capital, Ltd. v. Republic of Argentina*, 03-CV-8845 (TPG) and related cases &
Aurelius Capital Partners LP et ano v. Republic of Argentina, 07-CV-2715 (TPG) and related
cases

Dear Judge Griesa:

We represent Plaintiff NML Capital, Ltd. and write on behalf of Plaintiffs in the above-referenced actions to reply to the Republic of Argentina's opposition to Plaintiffs' request that Plaintiffs' "Motion for an Order Deeming that Argentina Has Waived its Privileges" be heard on October 28th, following the hearing on Plaintiffs' *pari passu* specific performance motions being heard that day.

On August 13, 2015, the Court ordered Argentina to provide a privilege log in 10 days. After being granted an extension of time to do so, Argentina produced a totally deficient log. The August 13th Order provides that a failure to provide a log will be deemed to be a waiver of the claim of privilege. Before filing our motion we had an exchange of correspondence with Argentina's counsel about the log's deficiencies. Argentina's counsel's letter responding to our letter is more than five pages long, and makes the arguments that could be expected to be found in Argentina's response to the pending motion seeking an order deeming privilege waived. It will impose no undue burden on Argentina's counsel to convert its letter brief into its opposition to the motion in the week it has to do so under Local Civil Rule 6.1(a).

It has been more than three years since the Court ordered Argentina to comply with Plaintiffs' discovery requests, and more than ten months since the United States Court of Appeals for the Second Circuit affirmed Your Honor's discovery order "in all respects," yet Plaintiffs have still received *no* information about Argentina's assets. We respectfully submit that further delay is

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not justified, and that the latest request for an extension is part and parcel of Argentina's continued effort to delay and stymie Plaintiffs' efforts to locate and execute upon Argentina's assets in satisfaction of their judgments—the request should be denied.

Respectfully submitted,



Robert A. Cohen

RAC

cc: Carmine Boccuzzi, Esq. (via e-mail)
Edward Friedman, Esq. (via e-mail)